



LOS ANGELES COUNTY COMMISSION FOR CHILDREN AND FAMILIES

Celebrating 26 Years of Advocacy & Achievement

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Martha Trevino Powell
Dr. Harriette F. Williams

APPROVED MINUTES

The General Meeting of the Commission for Children and Families was held on Monday, **November 15, 2010**, in Room 739 of the Kenneth Hahn Hall of Administration, 500 West Temple Street, Los Angeles. **Please note that these minutes are intended as a summary and not as a verbatim accounting or transcription of events at this meeting.**

COMMISSIONERS PRESENT (Quorum Established)

Carol O. Biondi	Rev. Cecil L. Murray
Patricia Curry	Steven M. Olivas, Esq.
Ann Franzen	Martha Trevino Powell
Susan F. Friedman	Sandra Rudnick
Dr. Sunny Kang	Adelina Sorkin, LCSW/ACSW
Helen A. Kleinberg	Dr. Harriette F. Williams

COMMISSIONERS ABSENT (Excused/Unexcused)

Dr. La-Doris McClaney	Stacey Savelle
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I. CALL TO ORDER

The meeting was called to order by Chair Curry at 10:07 a.m.

II. INTRODUCTIONS

Self introductions were made.

III. APPROVAL OF THE AGENDA

- **November 15, 2010**

Action Taken:

On motion of Commissioner Williams, seconded by Commissioner Kang (Commissioners McClaney, and Savelle being absent), the agenda for November 15, 2010, was unanimously approved.

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IV. APPROVAL OF THE MINUTES

• **October 18, 2010**

Action Taken:

On motion of Commissioner Kleinberg, seconded by Commissioner Sorkin (Commissioners McClaney and Savelle being absent), the October 18, 2010 minutes ([copy on file](#)) were unanimously approved, as submitted.

In addition, Commissioner Sorkin requested that Mr. Reaver E. Bingham provide the Commission with the number of Spanish speaking parents participating in the Probation Department's Function Family Therapy (FFT) Program, as requested by the Commission at the October 18, 2010 meeting and as referenced in the October 18, 2010 minutes, Page 7, bullet five.

• **November 1, 2010**

Action Taken:

On motion of Commissioner Kang, seconded by Commissioner Sorkin (Commissioners McClaney and Savelle being absent), the November 1, 2010 minutes ([copy on file](#)) were unanimously approved, as submitted.

In addition, Commissioner Sorkin requested a status update on the implementation of the Community Coalition's Wellness Model and potential funds for this organization discussed at the November 1, 2010 meeting. Commissioner Williams agreed to report back at a future meeting.

V. CHAIR'S REPORT

Chair Curry reported the following:

- The Commission's Holiday Party will be held on December 13, 2010; additional details will be forthcoming.
- She has had several conversations with the CEO's office regarding service integration between the Department of Children and Family Services (DCFS) and the Departments of Health Services (DMH), Mental Health (DMH), and Public Social Services (DPSS) for the areas of Self-Sufficiency, Safety, and Front-End Services.
- She and Commissioner Kleinberg met with Ms. Helen Berberian (Fifth District) and Ms. Lisa Mandel (Third District), Public Health Director Dr. Jonathan E. Fielding, and DCFS Medical Director Dr. Charles Sophy to discuss ways to improve the coordination of the Public Health Nurses on the Front-End.

- Jacquelyn McCroskey, USC School of Social Work will provide a status update on the Prevention Initiative Demonstration Project at a future meeting.

Commissioner Kleinberg noted that DCFS has drafted a proposal to address substance abuse; DCFS will begin to work with the National Center on Substance Abuse and Child Welfare (NCSACW) on this endeavor.

Commissioner Sorkin suggested that in the upcoming discussions regarding service integration, consideration be given to the groundwork made by Commissioner Rudnick on Prevention and Public Health, as well as identifying at-risk families through the Well Baby Program, Prenatal Care and WIC (Women, Infant, and Child Food Stamp Program).

Action Taken:

After discussion, Chair Curry's verbal report was received and filed.

VI. PRESENTATIONS/DISCUSSIONS

a. Discussion on the educational services and implementation of future educational services at the Challenger Memorial Youth Center

**David Sapp, Staff Attorney
American Civil Liberties Union,
(ACLU)**

Mr. Sapp reported the following.

- The Public Counsel Law Center, Disability Rights Legal Center and the National ACLU Racial Justice Project filed a lawsuit in January 2010 against the Los Angeles County Probation Department (Probation), as well as the former Superintendent and other officials of the Los Angeles County Office of Education (LACOE) regarding the rehabilitative services at the Challenger Memorial Youth Center (Challenger).
- The three main plaintiffs named in the lawsuits are as follows:
 1. *Casey A.* who spent 31 months at Challenger, earned all of his educational credits and received his high school diploma from LACOE regardless of his illiteracy.
 2. The second youth was a special education student who was not placed into a special education program although his records reflected that he should have been. This student was repeatedly removed from class for approximately 30 days because he asked the teacher for help, which is what he is supposed to do according to his Independent Education Plan (IEP).

3. The third youth was put into solitary confinement in the Special Housing Unit (SHU) for approximately two months. During the time he was there, he did not receive educational instruction other than on average, one day a week.
- Almost immediately after the lawsuit was filed, settlement talks began with Probation and LACOE that ultimately resulted in the settlement agreement which was approved by the Los Angeles County Board of Supervisors (Board) on November 9, 2010.
 - The process that led to the settlement resulted in the hiring of seven national experts, five nominated by the plaintiffs and two nominated by the defendants, to conduct a site visit at Challenger which was conducted in April 2010. The experts prepared a report with a set of recommendations and corrective action plan for implementation that addresses thirteen areas of deficiencies at Challenger. The corrective action plan was the basis for the settlement agreement signed by the Board.
 - Given the level of involvement by the national experts, the terms of the settlement agreement which Probation and LACOE are to follow will be dictated by three of seven national experts.
 - Dr. Peter Leone, the foremost national expert on rehabilitative services, is a Professor of Special Education who specializes in Behavior Disorders at the University of Maryland. Dr. Leone has thirty years experience in this field.
 - Dr. Alice Parker, former Assistant Superintendent Public Instruction and the State Director of Special Education. Dr. Parker is also very familiar with the custody settings in California.
 - Rich Krauss, former Probation administrator from Nebraska, who is credited with transforming Nebraska's juvenile probation system.
 - The terms of the settlement agreement are to present to the court detailed implementation plans for reform at Challenger from the thirteen areas of deficiency identified within 60 days. Some of the recommendations from the thirteen areas of deficiency identified by the national experts include:
 - Literacy
 - Vocational training
 - Transition and after-care
 - Special education laws
 - Leadership development for administrators
 - Increased collaboration between LACOE and Probation
 - Sustainability

The detailed plans to implement the reforms will be developed by the three national experts upon the completion of a site visit to Challenger in early December 2010, and will be presented to the court as part of the settlement process.

The reforms are part of a four-year term. The first year includes the development and implementation of new programs. The second year includes intense monitoring where the three experts will be onsite 65 days each quarter. Dr. Leone and Dr. Parker will remain for two additional years to provide monitoring, technical assistance and implementation oversight. The court will continue to maintain jurisdiction during the course of the four years to ensure that Probation and LACOE are implementing the detailed plan at Challenger.

- All youth who were detained at Challenger between January 12, 2008 and the day the settlement was executed will be eligible to receive compensatory services. Probation and LACOE will contract out for certified independent education providers to provide education instruction for youth. The level and amount of services will be developed by the national experts.
- Probation and LACOE staff will undergo professional development training. A significant part of that training will include increased supervision and documentation. As part of the settlement agreement, there will be unannounced classroom spot-checks and dedicated administrative staff to do spot-checks on the Probation staff assigned to spot-check the classrooms. These changes will increase transparency and offer accountability. In addition, the entire video camera system will be revamped and there will be a live person monitoring and logging all cameras at Challenger.

In response to questions posed by the Commission, Mr. Sapp added the following:

- Approximately half of the teachers formerly assigned to Challenger are no longer there since the time that the lawsuit was filed. All of the administrators assigned to Challenger are no longer there, with the exception of one assistant principal. However the Probation department has not seen the same amount of turnover as seen with LACOE.
- Unfortunately, whether or not other camps will be closely monitored as Challenger is unknown at this point. There is uncertainty as to how reforms at Challenger will affect other camps.
- Based on research, the number one factor for hiring and retaining effective teachers are teacher working conditions.
- Several teachers who work at Challenger voiced safety and security concerns in relation to class size. Under the settlement agreement this will be addressed; however, there are laws and regulations that set the number of youth in a class.

- The County and LACOE are considering some capital upgrades to Challenger as it has the same facade of the California State Prison which is located with proximity to Challenger. However, in the meantime there are immediate alternatives such as fixing the electrical system in the classrooms to allow for vocational training.
- The problems with Challenger occurred while under the oversight of the Department of Justice (DOJ).

One of the named plaintiffs, who were a former foster youth who had been under Probation's custody for three years, did not have a Transitional Independent Living Plan (TILP) until one week before he turned 18. As part of the Aftercare Transition Component of the settlement agreement, as soon as a student arrives at Challenger a TILP will be completed.

- Challenger does not utilize AB3632, specialized education funding.
- The detailed plans currently being developed by the experts as part of the settlement agreement address the gaps between school years, time off for teachers, as well as substitute teachers. However, there are no specific answers at this point.
- Camp Smith is one of the camps that have received additional funding through the California Youthful Offender Grant; however, there is not enough data to determine if the services to youth have improved as a result of this additional funding.
- Mr. Sapp has met with the new Education Director for Probation Jeremy Nichols.

Action Taken:

After discussion, Mr. Sapp's verbal report was received and filed.

b. Title IV-E Waiver Status Update

Lisa Parrish, DCFS

Mr. Reaver E. Bingham from Probation joined Ms. Parrish in providing the Commission with an update on the Title IV-E Waiver, they reported the following:

- Los Angeles County is in the third year of the Title IV-E Waiver (Waiver). Good news was received this summer; the former Assistant Secretary for Children and Families, Department of Health and Human Services Carmen Nazario, informed them that California will receive a 10-month extension to the five-year Waiver Demonstration Project in order to complete the final evaluation by Dr. Charlie Ferguson of San Jose State University.

- The Waiver has prevented many services from being cut, and has resulted in the reduction of approximately 20 percent in the number of children in out-of-home care since January 2007, which is currently down to 15,660. Reunifications within the last 12 months have increased from 58 to 64 percent. The number of adoptions has increased from 21 to 25 percent. DCFS has also reduced the median length of stay for long-term foster youth.
- As a result of these efforts, DCFS generated reinvestment savings which allowed DCFS to begin new programs, such as the up-front assessments developed with DCFS Family Preservation providers to assess parent's mental health, substance abuse, and domestic violence concerns.
- The recurrence of maltreatment after 12 months rose from 9.6 to 11.4 percent in the first interim evaluation report on the success of the Waiver. Currently, that percentage has decreased to 10.9 percent. The University of California at Berkeley collects this data on behalf of the Federal government and publishes it every quarter. Based on the Federal indicators, DCFS is on the right track.

In response to questions posed by the Commission, Ms. Parrish and Mr. Bingham added the following:

- The percentage of maltreatment after 12 months is defined as children who receive maltreatment after being reunified and re-entered in the system. This percentage includes all children and families with whom DCFS has come into contact with, regardless of a substantiated or unsubstantiated allegation. Ms. Parrish will provide the Commission with the Federal terminology.
- Since the Waiver began, DCFS has generated approximately \$87 million in reinvestment dollars. To date, DCFS has invested approximately \$68 million to quality practices. However, no new programs have been initiated since February 2009. Ms. Parrish agreed to provide the Commission with a breakdown of current funding allocations for existing programs.
- Educating and training DCFS staff has been a key component to generating savings as well as collaboration with other departments such as DMH. The new performance measurement tool (Quality Service Reviews) has also been instrumental in achieving savings.
- Under AB12 the state has given verbal approval to allow the Federal government to pay the State outside of capped allocation for the 18 and over population.
- DCFS has placed great emphasis on reducing the number of children in out-of-home placement as evidenced by the 20 percent reduction since the Waiver began. The number of youth who aged-out within the 20 percent reduction is not currently available; however, Ms. Parrish will provide the Commission with that information.

- The upfront assessment model that began in the Compton District Office has been extended to other DCFS locations as funding became available through the Waiver.

DCFS Director Ploehn noted that the PDIP will be continued. This Prevention Initiative is a four-year plan that decreases the amount of investment of County funds. An evaluation is currently underway to determine what strategies will be funded.

- At the beginning of the economic recession, DCFS became very concerned with increases in referrals to the Child Abuse Hotline. Therefore, DCFS increased up-front services to address increasing demands. DCFS also increased Family Perseveration slots.
- Under the Waiver, there are no aftercare services provided to families and youth whose cases have been closed. However, DCFS makes every effort to connect youth and families with community resources prior to their cases being closed.
- The positive outcomes mentioned earlier vary from office to office. DCFS has requested that UC Berkley post data based on DCFS Office outcomes as opposed to countywide reporting. However, when the data from each office is analyzed, it reveals there is disparate treatment across the different ethnicities within Los Angeles County i.e. the longest waiting children in foster care are African American boys.
- Probation continues to work closely with DCFS and the Waiver. Probation is currently engaged in three Waiver programs, which include the Cross Systems Assessments, the implementation and expansion of the Functional Family Therapy (FFT), and has instituted a prospective authorization and utilization and review unit, which is used by the Probation officers to reduce the reliance on congregate care. Through FFT feedback from youth and families is collected and included in the Probation Chronicles. Since the inception of the Waiver, Probation has reduced the number of youth in placement from 1,300 to 960; the average length of stay has also been reduced from one year to about seven months. The Waiver has also resulted in the development of the Probation Practice Model.
- Through the FFT processes DPO's and families are being trained to advocate for services that families need and are having difficulty accessing.
- The Probation Practice Model calls for an immediate assessment of a youth's needs when a child is detained at a Probation Juvenile Hall. The Practice Model also ensures that the needs of the child determined during the assessment process are implemented.

- Probation is training existing staff to better use the community resources available, such as training Deputy Probation Officers (DPOs) to utilize the Resource Guide and the Quality Assurance and Accountability process.
- There has been a concern regarding the correlation between the reduction in the length of stay for youth in Probation and Probation's increase in Waiver reinvestment dollars. However, Probation continues to strive for the best outcomes for youth. Probation continues to work very closely with its providers and the courts to determine the appropriate amount of time that youth are detained.

Ms. Laura Streimer addressed the Commission regarding the Title IV-E Waiver.

Action Taken:

After discussion, Ms. Parrish's and Mr. Bingham's verbal report was received and filed.

VII. COMMITTEE REPORT

- **Family Reunification Committee Status Update** **Helen A. Kleinberg**

Action Taken:

By common consent, this item was continued to the next Commission meeting scheduled for December 13, 2010.

VIII. DIRECTOR'S REPORT

Director Ploehn reported the following:

- The Board honored the District Attorney's Office, Sheriff, and DCFS for winning the Silver Eagle Quality and Productivity award for their work on the Electronic Suspected Child Abuse Report System E-SCARS a web-based system developed by DCFS through a joint effort by the three County Departments. E-SCARS allows rapid and secure electronic transmission and receipt of Suspected Child Abuse Reports between DCFS, the District Attorney, the Sheriff's Department and other independent law enforcement agencies within Los Angeles County.
- The Board recognized DCFS and their collaboration with the United Peace Officers Against Crime (UPAC) for their efforts to provide leadership, education and mentor opportunities for at-risk youth. Several hundred Sheriff's Deputies take one week of their own vacation time to help run a summer camp for at-risk youth. Many of the youth from DCFS and Probation.
- Supervisors Ridley-Thomas and Antonovich were featured on KABC Channel Seven where they discussed their perspective on DCFS. Supervisor Antonovich stressed the importance of sharing information across department lines.

- A year and a half ago DCFS conducted a study regarding an increase in referrals to the Child Abuse Hotline as a result of the economic recession. The study revealed no significant increase at the time of the study. However, DCFS compared the number of referrals from the first nine months 2009 to the first nine months of 2010 and discovered that an additional 4,900 referrals were received. The additional referrals can be attributed to the fallout after a crisis occurs.
- Adoption Friday will take place on November 19, 2010. Approximately 200 children's adoptions will be finalized.
- The Protective Factors Symposium was held last week; its focus was strengthening families. Invited guests to this event included Erwin McEwen, Director of the Illinois Department of Children and Family Services, who was quoted to have said, "This is not rocket science, its child welfare, this is a lot harder."

Action Taken:

After discussion, Director Ploehn's verbal report was received and filed.

IX. PUBLIC COMMENT

There was none.

X. ANNOUNCEMENTS

There was none.

XI. ADJOURNMENT

The meeting was adjourned by Chair Curry at 12:01 p.m.